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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/188,827 11/09/98 REGAN

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LM02/0203

EXAMINER

HAYES, J

ART UNIT

PAPER NUMBER

2761

DATE MAILED:

02/03/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/188,827

Applicant(s)

REGAN, JOHN FRANCIS

Examiner

John W Hayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 1998.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 7-22 is/are rejected.
- 7) ☒ Claim(s) 4-6 and 23 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 1998 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 14) ☒ Notice of References Cited (PTO-892)
- 15) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 17) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: _____.

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DETAILED ACTION

Drawings

1. The drawings filed on 9 November 1998 are subject to correction of the informalities indicated on the attached "Notice of Draftperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, correction is required.
2. The drawings are objected to because Figure 1 and the text of the specification are inconsistent with regard to reference character 34. The block representing reference character indicates "Escrow The Agent Computer" and the specification indicates "escrow/title agent computer" on page 8, line 16. Correction is required.
3. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

Claim Objections

4. Claim 4 is objected to because of the following informalities: In line 2 of claim 4, the text indicates "security document interest" which is inconsistent with the text of claim 6 and should be changed to "security interest document". Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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6. Claims 1, 13 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by *Aleia et al*, U.S. Patent No. 5,991,733.

As per claim 1, *Aleia et al* discloses a method for transaction processing comprising the steps of receiving transaction information for a transaction and storing the transaction information in a central repository (Col. 6, lines 33-39 and Col. 7, lines 41-52), indicating a default condition for the transaction (Col. 7, lines 45-51 and Col. 10, lines 3-12), initiating a recovery process for the transaction (Col. 7, lines 18-31; Col. 9, line 33-Col. 10, line 3) and providing automated coordination of the recovery process using transaction information stored in the central repository, and updating the transaction information to indicate a current state of the transaction (Col. 7, lines 18-31 and Col. 13, lines 34-35).

As per claim 13, *Aleia et al* discloses a transaction processing system comprising a general purpose computer including a memory, CPU and an input/output device (Col. 6, lines 11-23), a data repository coupled to the computer (Col. 6, lines 24-39 and Col. 7, lines 41-51), wherein the memory of the computer includes computer executable means (Col. 7, lines 6-17) to receive transaction information for a transaction and store the transaction information in a central repository (Col. 6, lines 33-39 and Col. 7, lines 41-52), indicate a default condition for the transaction (Col. 7, lines 45-51 and Col. 10, lines 3-12), initiate a recovery process for the transaction (Col. 7, lines 18-31; Col. 9, line 33-Col. 10, line 3) and provide automated coordination of the recovery process using transaction information stored in the central repository, and update the transaction information to indicate a current state of the transaction (Col. 7, lines 18-31 and Col. 13, lines 34-35).

As per claim 14, *Aleia et al* further discloses wherein the computer executable means is responsive to an input from a user computer connected to the general purpose computer via a communication network (Col. 5 line 65-Col. 6 line 23 and Col. 7, lines 18-27).

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Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3, 7-12, 15-18, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Aleia et al*, U.S. Patent No. 5,991,733.

As per claim 3, *Aleia et al* discloses wherein the transaction includes financing for insurance premiums and the default condition includes a default on the payment of the insurance premiums (Col. 2, lines 34-58 and Col. 4, lines 33-37). *Aleia et al*, however, does not specifically disclose that the transaction includes a financing of a property unit and the default condition includes one of a default on a loan balance for the property unit, or loss due to theft or casualty of the property unit. Although *Aleia et al* discloses that the invention is pertains to insurance receivable accounts, *Aleia et al* also teaches that the method is applicable to other types of receivables as well (Col. 4, lines 33-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of *Aleia et al* and include transactions for the financing of a property unit instead of a insurance premiums in view of the suggestion by *Aleia et al* that other types of receivables are applicable to the invention.

As per claim 7 and 8, *Aleia et al* discloses wherein the recovery process includes a recovery of insurance premiums on behalf of an insurance company (Col. 2, lines 34-58 and Col. 4, lines 33-37). *Aleia et al*, however, fails to specifically disclose wherein the recovery process includes recovery of a property unit including personal property and real property on behalf of a lending party. Although *Aleia et al* discloses that the invention is pertains to insurance receivable accounts, *Aleia et al* also teaches that the method is applicable to other types of receivables as well (Col. 4, lines 33-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of *Aleia*

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et al and include a recovery process for the recovery of a property unit instead of a insurance premiums in view of the suggestion by *Aleia et al* that other types of receivables are applicable to the invention.

As per claim 9, *Aleia et al* discloses wherein the step of providing automated coordination includes centralized and coordinated electronic communication between one of a an insuring party and at least one agent (Col. 7, lines 18-31). *Aleia et al*, however, does not specifically disclose that the communication is between a lending party and an agent. Although *Aleia et al* discloses that the invention is pertains to insurance receivable accounts, *Aleia et al* also teaches that the method is applicable to other types of receivables as well (Col. 4, lines 33-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of *Aleia et al* and provide for communication between and lender and an agent instead of an insuring party and an agent in view of the suggestion by *Aleia et al* that other types of receivables are applicable to the invention.

As per claim 10, *Aleia et al* further discloses wherein the lending party indicates the default condition and initiates the recovery process, the at least one agent being provided access to a predetermined set of transaction documents from the central repository (Col. 3, line 67-Col. 4 line 3; Col. 4, lines 5-10; Col. 7, lines 18-31 and 41-52 and Col. 12, lines 41-46).

As per claim 11, *Aleia et al* further discloses wherein the at least one agent includes a plurality of agents, each of the plurality of agents having a predetermined task in the recovery process (Col. 2, lines 45-58 and Col. 4, lines 5-10 and 24-32).

As per claim 12, *Aleia et al* further discloses the method comprising the steps of receiving an inquiry for a status of an account and processing the inquiry using the transaction information stored in the central repository (Col. 12, lines 41-46 and Col. 13, lines 25-27). Although *Aleia et al* discloses that the inquiry is for the status of an account, *Aleia et al* fails to specifically disclose that the inquiry is for the status of a property unit. Although *Aleia et al* discloses that the invention is pertains to insurance

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receivable accounts, *Aleia et al* also teaches that the method is applicable to other types of receivables as well (Col. 4, lines 33-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of *Aleia et al* and provide for an inquiry capability to inquire about the status of a property unit instead of an insurance account in view of the suggestion by *Aleia et al* that other types of receivables are applicable to the invention.

As per claim 15, *Aleia et al* further discloses wherein the communication network includes one of a proprietary connection (Col. 6, lines 57-65 and Col. 2, lines 45-51). *Aleia et al*, however, fails to specifically disclose wherein the communication network includes an Internet connection. However, it would have been obvious to one of ordinary skill in the art to utilize an Internet connection to connect lending or insuring parties with collection agents since it is well known in the art that Internet connections are commonly used for business purposes.

As per claim 16, *Aleia et al* further discloses wherein the computer executable means includes an application/customer profile information input module, wherein the transaction information can be received by the application/customer profile input module and stored in the data repository (Col. 7, lines 45-51 and Figure 1F) and a recovery module, wherein information relating to a recovery of an account is retrieved from the data repository and written to the data repository (Col. 12 line 61-Col. 13 line 47). *Aleia et al*, however, fails to specifically disclose that the recovery information concerns a property unit. Although *Aleia et al* discloses that the invention is pertains to insurance receivable accounts, *Aleia et al* also teaches that the method is applicable to other types of receivables as well (Col. 4, lines 33-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of *Aleia et al* and provide for information concerning recovery of a property unit instead of an insurance account in view of the suggestion by *Aleia et al* that other types of receivables are applicable to the invention.

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As per claim 17, *Aleia et al* further discloses wherein the recovery module is coupled to a recovery agent computer system via the communication network and wherein the recovery module provides a predetermined portion of the transaction information from the data repository to the recovery agent computer system via the communication network (Col. 13, lines 25-47 and Col. 19, lines 1-9 and 25-27).

As per claim 18, *Aleia et al* further discloses wherein the computer executable means further includes a search module providing access to search at least one database via the data communication network (Col. 3, lines 15-20 and Col. 6, lines 57-62).

As per claim 20, *Aleia et al* further discloses wherein the computer executable means further includes a documents module, wherein the documents module retrieves on of an image data document and a database driven document from the data repository (Col. 6 line 67-Col. 7 line 5 and Col. 12, lines 41-51).

As per claim 21, *Aleia et al* further discloses wherein the computer executable means further includes a payments module, the payments module providing at least one of payment history and invoice generation relating to the transaction (Col. 13, lines 25-45).

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Aleia et al*, U.S. Patent No. 5,991,733 in view of *Taricani, Jr.*, U.S. Patent No. 6,016,479.

As per claim 2, *Aleia et al* discloses wherein the central repository is a database, however, does not specifically disclose that the repository is a relational database. *Taricani, Jr.* discloses a computer based system and computer program product and method for recovering tax revenue and teaches a central repository in the form of a relational database (Col. 4, line 47-Col. 5 line 28 and Col. 6, lines 20-25 and Figure 1). It would have been obvious to one of ordinary skill in the art at the time the invention

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was made to modify the method of *Aleia et al* and utilize a relational database in view of the teachings of *Taricani, Jr.* since relational databases are commonly used in business methods and systems.

10. Claims 19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Aleia et al*, U.S. Patent No. 5,991,733 in view of *Peterson et al*, U.S. Patent No. 5,903,873.

As per claim 19, *Aleia et al* fails to specifically disclose a registration module for receiving one of registration, filing and reporting information for the transaction for storage in the data repository. *Peterson et al* discloses a system for registering insurance transactions and communicating the insurance transactions to a home office computer for storage in a data repository (Col. 1, lines 53-58 and Col. 11, lines 55-63). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of *Aleia et al* and incorporate the registration module taught by *Peterson et al* for the benefit of reporting transactions conducted at a remote location to a central data repository for storage.

As per claim 22, *Aleia et al* fails to disclose an access control module for controlling access by a user to the data repository. *Peterson et al* discloses a system for registering insurance transactions and communicating the insurance transactions to a home office computer for storage in a data repository and teaches an access control procedure to restrict access to the system to authorized users only (Col. 13, lines 11-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of *Aleia et al* and incorporate an access control procedure such as that taught by *Peterson et al* for restricting access to authorized personnel. It is well known that access control procedures are commonly used in computerized systems for the sole purpose of restricting access.

Allowable Subject Matter

11. Claims 4-6 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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12. The following is a statement of reasons for the indication of allowable subject matter:

As per claims 4-6, the prior art of record taken either individually or in combination fails to teach or suggest generating a security interest document as a function of the transaction information, processing the security interest document and automatically filing the security interest document.

As per claim 23, the prior art of record taken either individually or in combination fails to teach or suggest a business intelligence module for providing predetermined business reports generated as a function of the transaction information stored in the data repository.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Highbloom discloses a system for monitoring the status of individual items of personal property which serve as collateral for securing financing and teaches a method of recording liens
- Norris discloses a method and apparatus for automatic processing of a loan application and includes a application/customer profile module allowing the applicant to enter information that is stored in a database
- McCauley et al discloses a method and system for processing real estate loans based on loan data including personal data relating to a borrower, financial information relating to the borrower's financial position, and loan conditions.
- Ocwen Financial Corporation, "Ocwen Financial Corporation Forms Technology Subsidiary to Provide Software to Mortgage and Real Estate Industries", discloses an advanced mortgage loan servicing, resolution and origination technology available to third parties through software licenses. The software product includes proprietary loss mitigation and loan default management software systems. The system gives real estate and mortgage servicing professionals electronic access to all of the ancillary services necessary to close a real estate transaction or loan or foreclose on a mortgage loan, saving the user time and money.

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be reached Monday through Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Todd Voeltz, can be reached on (703) 305-9714.


The Fax phone number for the **UNOFFICIAL FAX** for the organization where this application or proceeding is assigned is (703) 305-0040 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

The Fax phone number for the **OFFICIAL FAX** for the organization where this application or proceeding is assigned is (703) 308-9051 or 9052 (for formal communications intended for entry).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jwh

20 January 2000



STEPHEN R. TKACS
PRIMARY EXAMINER